

Annual 47 CFR § 64.2009(e) CPNI Certification TemplateEB Docket 06-36

Annual 64.2009(e) CPNI Certification for [2018] covering the prior calendar year [2017]

1. Date filed: **February 23, 2018**
2. Name of company(s) covered by this certification: **OpenBand of Virginia, LLC**
3. Form 499 Filer ID: **823130**
4. Name of signatory: **James Brabham**
5. Title of signatory: **Ex. Vice President**
6. Certification:

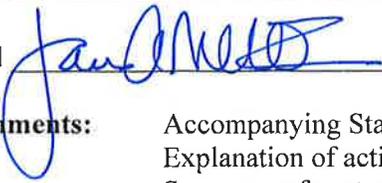
I, **James Brabham** certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 CFR § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company *has not* taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. [NOTE: If you reply in the affirmative, provide an explanation of any actions taken against data brokers.]

The company *has not* received customer complaints in the past year concerning the unauthorized release of CPNI. [NOTE: If you reply in the affirmative, provide a summary of such complaints. This summary must include the number of complaints, broken down by category or complaint, e.g., instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.]

The company represents and warrants that the above certification is consistent with 47 CFR § 1.17, which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed  [Signature of an officer, as agent of the carrier]

**Attachments:** Accompanying Statement explaining CPNI procedures  
Explanation of actions taken against data brokers (if applicable)  
Summary of customer complaints (if applicable)

Attachment (A)

OPENBAND OF VIRGINIA, LLC, CPNI COMPLIANCE PROCEDURES

(Revision 01-01-2008)

1. **Use of customer proprietary network information (CPNI) without customer approval.**
  - a. OpenBand shall not use, disclose or permit access to CPNI by any affiliated or unaffiliated entities for the purpose of providing or marketing service offerings.
2. **Approval required for use of customer proprietary network information.**
  - a. OpenBand shall not use, disclose or permit access to CPNI for any purpose, except when compelled to do so by law (e.g., pursuant to a validly issued subpoena by a law enforcement department). Customer approval for CPNI use shall therefore not be solicited.
3. **Notice required for use of customer proprietary network information.**
  - a. OpenBand shall not use, disclose or permit access to CPNI for any purpose, except when compelled to do so by law. Customer notice regarding CPNI use therefore shall not be provided.
4. **Safeguards required for use of customer proprietary network information.**
  - a. OpenBand shall not use, disclose or permit access to CPNI for the purpose of providing or marketing any products or services. All OpenBand Customer Service Representative (CSR) personnel shall be trained on OpenBand's CPNI policy, as identified in 5 below, and express disciplinary processes shall apply to CPNI policy breaches, up to and including termination.
5. **Safeguards on the disclosure of customer proprietary network information.**
  - a. The following policy describes Open Band's safeguards on the disclosure of CPNI.
  - b. OpenBand shall notify law enforcement of a breach of its customer CPNI per the below policy safeguards. Openband shall not notify customers or disclose the breach publicly until it has completed the process of notifying law enforcement.
  - c. OpenBand shall maintain records of all CPNI breaches discovered, notifications made to law enforcement, and notifications made to customers.
6. **Changes to CPNI Usage Practices**
  - b. In the event that OpenBand shall use CPNI or allow access to its CPNI in the future, it will implement appropriate "opt-in" or "opt-out" procedures as required by the rules of the FCC.

# 1 CPNI Disclosure Safeguards

## 1.1 General

OpenBand Customer Service Representative (CSRs) will identify callers contacting Customer Service by requesting the following information

- Full name of the account holder
- Full address
- Telephone number on record

For in office visits, OpenBand will identify customers by requesting a valid photo ID matching the customer's account information.

For any customer inquiries that require access to customer account records, CSRs will 1) advise customers of the confidentiality of their account records, 2) verbally request access from customers for the purposes of the specific call or inquiry and require proof of identification, and 3) advise customers that they may deny such access along with the consequences resulting from the lack of access.

- OpenBand CSRs will not respond to caller requests to
  - Identify telephone services provided to the account
  - Identify individual features assigned to the telephone line(s)
- When a caller requests information such as specified above, OpenBand CSRs will advise the caller to refer to the on-line account information and/or the invoice sent to the subscriber by OpenBand.
- OpenBand CSRs will respond to subscribers' clarification questions pertaining to line information and features, such as the following examples:
  - Does the feature X assigned to my line allow for unlimited use?
  - Is it possible to reduce monthly recurring charges by switching the feature X assigned to my line from flat-rate to usage based billing?
  - Etc
- Under no circumstances will OpenBand CSRs provide usage information, such as CDRs and/or suspicious call activity logs, over the phone.
- When usage information is requested, OpenBand CSRs will
  - Advise the subscriber to review the information in question by accessing the On-Line Account Management Interface; AND/OR
  - Email the information in question to the subscriber's billing email address on file with OpenBand if the requesting customer provides proof of identification;
  - Mail the information in question to the subscriber's billing address on file with OpenBand if the requesting customer provides proof of identification;
- OpenBand will only email/mail the information to the email or postal address on record. No information will be sent to an alternative address provided by the subscriber.

- OpenBand CSRs will respond to clarification questions provided the subscriber making the request supplies complete information about the service usages details in question, such as the following examples:
  - What country does the country code in the call made on MM/DD/YY from NNN to NNN represent?
  - Why was the rate X applied to the call MM/DD/YY from NNN to NNN?
- Under special circumstances, such the customer's being unable to accept information via email or On-Line Account Management Interface, OpenBand CSRs may provide necessary information by contacting the customer at the home telephone number on record and identifying the customer as described in 1.1.1.
- In exceptional cases when the user is unable to access the site with the credentials delivered via email or regular mail, an OpenBand authorized supervisor will assist the customer in setting the password for accessing the On-Line Account Management interface. In such cases the following steps will be taken:
  - The supervisor will contact the customer at the phone number on record to verify his/her identity and validate the request;
  - The supervisor will reset the on-line access password;
  - The system will spawn an email notification to the customer's email address on file informing him/her of the change made.
- OpenBand CSRs will not update the customer's billing email address on record.
- Subscribers will be able to update the billing email address on record via the On-Line Management Interface;
- If the customer is unable to access the On-Line Account Management Interface, a replacement system-generated password will be automatically emailed the subscriber's billing email on file;
- If the customer is unable to access the On-Line Account Management interface and the subscriber's billing email on file is incorrect, a replacement system-generated password will be mailed to the subscriber billing postal address on file;
- Any customer-initiated changes to account information including password or billing email address on record will spawn an email to the existing customer billing email address on record indicating an account change has been made and providing a phone number to call if the account changes were not initiated by the customer.